

REMARKS

This Amendment responds to the Office Action September 1, 2010 in which the Examiner rejected claims 1-4, 6-12, 14-15 and 17 under 35 U.S.C. § 103.

As indicated above, claims 1, 9 and 17 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability and broadens the scope of the claims.

Claim 1 claims a reproduction controlling apparatus, claim 9 claims a reproduction controlling method and claim 17 claims a non-transitory computer readable medium storing a computer program for reproduction control. The apparatus, method and program include (a) receiving a selected user input of plural user inputs according to operation by a user, (b) generating auxiliary information based on first and second event notices, (c) comparing or computing reproduction position information indicated by the auxiliary information with reproduction position information indicated by a later received second event notice and (d) issuing a first command for controlling the reproduction operation of the content based upon the selected user input and automatically issuing predetermined second commands controlling the reproduction operation of the content based upon (1) the result of the comparison or the computation and (2) the selected user input.

By (a) issuing a first command for controlling the reproduction operation of content based upon a selected user input, and (b) automatically issuing predetermined second commands controlling the reproduction operation of the content based upon (1) the result of the comparison or computation and (2) the selected user input, as claimed in claims 1, 9 and 17, the claimed invention provides an apparatus, method and program which can implement a variety of

reproduction functions using predetermined commands. The prior art does not show, teach or suggest the invention as claimed in claims 1, 9 and 17.

Claims 1-4, 6-12, 14-15 and 17 were rejected under 35 U.S.C. § 103 as being unpatentable over *Kawamura, et al.* (U.S. Publication No. 2002/0044757) in view of *Lamkin, et al.* (U.S. Patent No. 7,178,106).

Kawamura, et al. appears to disclose in Figure 25 a data format produced when plural data sequences, that is paths, are recorded on an information carrier. As shown, the bitstream in the recording medium has its path constituted by three sections S1, S2 and S3 which are separated by two unused portions of the information carrier [0187]. In a straight-forward reproduction operation, controller 2120 controls data reproduction to commence at the leading edge of the first section which is presumed to be recorded in the first section S1. Controller 2120 detects the program stream map (PSM) stored in the entry point recorded in the first section S1 and detects the path_descriptor associated with the path to be reproduced from the path_descriptors area [0188]. After storing the path_descriptor information, controller 2120 compares the sector address of the sector currently reproduced from the drive control circuit 2106 to the sector address stored in entry point storing unit 2122. When the end point of the first section S1 is reached, the controller 2120 controls the drive controlling circuit 2106 to access the start position of the next section [0190].

Thus, *Kawamura, et al.* merely discloses reproducing a next section when the first section end point is reached. Nothing in *Kawamura, et al.* shows, teaches or suggests automatically issuing predetermined second commands for controlling the reproduction operation of the contents based on the result of the comparison or computation and the selected user input, where the selected user input determines which predetermined second commands are issued as claimed

in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses reproducing a next section when the end of the first section is reached.

Additionally, *Kawamura, et al.* merely discloses in Figure 5 a path information is recorded as packets of control information in the segments 52 directly following the entry point 51. The packets of path information are marked as control information as program stream map (PSM) packets [0093]. The program stream map describes the contents of the information stream in descriptors. An actual time code, tracks and sections are given for each path. Time codes denote the period of time elapsed since the beginning of the program or track [0096].

Thus, *Kawamura, et al.* merely discloses providing control information in the segment following the entry point such as time codes. Nothing in *Kawamura, et al.* shows, teaches or suggests automatically issuing predetermined second commands for controlling the reproduction operation of the content based upon a result of comparison or computation and selected user input, where the selected user input determines which predetermined second commands are issued as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* merely discloses control information stored after the entry point.

Finally, *Kawamura, et al.* merely discloses in response to user input, controller 2120 issues a control signal to drive control circuit 2106 to initiate a reproduction operation. Drive control circuit 2106 drives pickup 2104 by means of tracking servo circuit 2102 to a position on the information carrier 1922 selected by the user [0174].

Thus, *Kawamura, et al.* only discloses initiating reproduction based on user input. Nothing in *Kawamura, et al.* shows, teaches or suggests automatically issuing predetermined second commands for controlling the content based upon a result of comparison or computation and the selected user input, where the selected user input determines which predetermined

second commands are issued as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses a controller issuing a control signal to initiate a reproduction operation in response to user input.

Lamkin, et al. appears to disclose halting playback of a current track and start playback from the start of the current track. If it is at the start of the track, it will go to the start of the previous track (column 37, section A.1.16).

Thus, *Lamkin, et al.* merely discloses playing back a current track or a previous track. Nothing in *Lamkin, et al.* shows, teaches or suggests automatically issuing predetermined second commands for controlling reproduction operation of the content based upon a result of comparison or computation and the selected user input, where the selected user input determines which predetermined second commands are issued as claimed in claims 1, 9 and 17. Rather, *Lamkin, et al.* only discloses playing back a current track or previous track.

A combination of *Kawamura, et al.* and *Lamkin, et al.* would merely suggest to initiate reproduction operation in response to user input and when a input of a first section is reached to access the start position of the next section as taught by *Kawamura, et al.* and to playback a current track or a previous track as taught by *Lamkin, et al.* Thus, nothing in the combination of the references shows, teaches or suggests automatically issuing predetermined second commands for controlling the reproduction operation of the content based upon a result of comparison or computation and selected user input, where the selected user input determines which predetermined second commands are issued as claimed in claims 1, 9 and 17. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 9 and 17 under 35 U.S.C. § 103.

Claims 2-4, 6-8, 10-12, and 14-15 depend from claims 1 and 9 and recite additional features. Applicants respectfully submit that claims 2-4, 6-8, 10-12 and 14-15 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Kawamura, et al.* and *Lamkin, et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-4, 6-8, 10-12 and 14-15 under 35 U.S.C. § 103.

New claims 19-21 have been added. Applicants respectfully submit that these claims are also in condition for allowance.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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